

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38807 of 2020**

Arising Out of PS. Case No.-163 Year-2020 Thana- WARISLIGANJ District- Nawada

SHIV KUMAR S/o Late Sanjay Pandit R/o Village- Baghi Chakwae, P.S.-
Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Financial Intelligence Unit (FIU), LIC Building, Cannaught Place, New Delhi. New Delhi
3. The Reserve Bank of India, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 15-12-2021 This Court is dealing with cyber crimes in this proceeding and therefore is taking up a very disturbing matter.

Mr. Manu Tripurari, learned counsel, is appointed as *Amicus Curaie* in this case.

The office is directed to add Economic Offices Unit (EOU), Instagram, Facebook, Twitter, Youtube, Whatsup, Messenger, Meta as opposite party nos. 4 to 11 to this application.

A lawyer Dinesh has been abusing the Judges of the Supreme Court including the then Chief Justice of India, Patna High Court Judges as well as the Union Law Minister and other dignitaries. This abuse has been posted on various social



media platforms. Though under the law, the abuse is required to be reported to the police but the social media platforms have failed in their duty, therefore this Court is taking up the matter.

The Government of Bihar has come out with memo no. 13 dated 21/01/2021 by which the Additional Director General, Economic Offences Unit, Government of Bihar, Patna, has issued a direction for taking action against the persons who are making objectionable comments using foul languages against Government Ministers, Members of Parliament, Member of Legislative Assembly and other Government officials. Though this memo was issued on 21.01.2021 but till date EOU has failed to take any action against the person/persons making objectionable comments and posts on various social media platforms against the then Chief Justice of India, Supreme Court Judges, Patna High Court Judges including Ex Chief Justice of Patna High Court and the then Union Law Minister. EOU has to be reminded that they are duty bound to take suitable action against the persons who are continuously abusing Chief Justice of India, Supreme Court Judges, Patna High Court Judges including Ex Chief Justice of Patna High Court and the then Union Law Minister on various social media platforms. Social media platforms have also failed in their duty to report such



type of objectionable materials being uploaded on their social sites/apps to the EOU.

The EOU is directed to register an F.I.R., constitute an expert team and investigate into various objectionable materials and the offences committed by Dinesh, Advocate and take suitable action under law against him and persons involved in posting such objectionable posts. This action should be taken forthwith as the judiciary cannot be threatened by a single misdirected individual. The EOU will also investigate the involvement of other persons in this illegal activity.

On 17.12.2021, the action taken report should be filed before this Court and affidavit should be sworn by the A.D.G. himself and he will also be personally present before this Court.

Put up on 17.12.2021 (Friday) at Chamber through physical mode.

Mr. Pratap Sharma, practising as an Advocate in this Court has produced before this Court an F.I.R. registered by him in the Rajiv Nagar Police Station, in which local police has not taken any action. It is a cyber crime and the local police are not able to investigate the cyber crime and under such circumstances, this Court directs the EOU to investigate the



Rajiv Nagar P.S Case No. 229 of 2021 and take it to its logical conclusion. For that, the EOU is granted one month's time to file a report in this case before this Court.

(Sandeep Kumar, J)

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